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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/770,217	01/25/2001	Georges Wakil	27950-00386USPT	5804

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EXAMINER

IQBAL, KHAWAR

ART UNIT PAPER NUMBER

2686

DATE MAILED: 07/07/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/770,217

Applicant(s)

WAKIL ET AL.

Examiner

Khawar Iqbal

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☒ Claim(s) 2,7 and 13 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 4,6.
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: ____.

DETAILED ACTION

Claim Objection

Claim 2 is objected to because of the following information: "has as least" should be "has at least". Appropriate correction is required.

Claim 7 is objected to because of the following information: "has as least" should be "has at least". Appropriate correction is required.

Claim 13 is objected to because of the following information: "has as least" should be "has at least". Appropriate correction is required.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Morgan (6308067) and further in view of Trop et al (20020147002).

Regarding claim 1 Morgan teaches a method, comprising the steps of:
responding to a received call origination dialed from a cellular mobile station having a subscription to a toll free telephone number recognized in a supporting cellular communications network as being associated with a prepaid subscription by triggering supporting cellular network calculation of a permitted prepaid use time for user communications effectuated through that mobile station (col. 7, line 63-col. 8, lines 17);

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through connecting the cellular mobile station to a user called destination to establish a call connection, and monitoring a duration of the established call connection against the calculated permitted use time (col. 9, lines 5-44). Morgan does not specifically teach post-paid. In an analogous art, Trop et al teaches post-paid (para# 0002,0015 and 0016). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the device of Morgan by specifically adding feature of post-paid to providing global post-paid service to user of cellular phone in order to enhance system performance by increasing efficiency of postpaid subscribers who are billed for services after the charges are incurred as taught by Trop et al.

Regarding claim 2 Morgan teaches detecting that the monitored duration has as least met the calculated permitted prepaid use time, terminating the established call connection; and charging a fee for the utilized permitted prepaid use time against a prepaid account instead of against the mobile station subscription (col. 9, lines 25-62).

Regarding claim 3 Morgan teaches determining prior to the step of through connecting a method of payment for the call; and applying the fee against the determined method of payment (col. 9, lines 25-62, col. 6, lines 45-65).

Regarding claim 4 Morgan teaches detecting a user termination of the established call connection prior to the expiration of the permitted prepaid use time; calculating an elapsed use time; and charging a fee for the calculated elapsed use time against a prepaid account instead of against the mobile station subscription (col. 9, lines 25-62, col. 6, lines 45-65).

Regarding claim 5 Morgan teaches determining prior to the step of through connecting a method of payment for the call; and applying the fee against the determined method of payment (col. 9, lines 25-62, col. 6, lines 45-65).

Regarding claim 6 Morgan teaches a method, comprising the steps of: receiving a call origination from a mobile station having a paid subscription, the call origination dialed to a first telephone number associated with a prepaid subscription (col. 7, line 63-col. 8, lines 17); triggering at a serving mobile switching center responsive to the received call origination and the dialed first telephone number the execution of an incoming message coordination feature (col. 7, line 63-col. 8, lines 17); collecting within the execution of the incoming message coordination feature a second telephone number identifying a called party and information concerning a prepaid method of payment for the call (col. 7, line 63-col. 8, lines 17); determining within a payment system of the supporting cellular network the calculation of a permitted use time for user communications effectuated through the mobile station and with the called party (col. 9, lines 25-62); sending of a location request message including the first telephone number from the serving mobile switching center to a home location register that stores the prepaid subscription (col. 5, lines 39-61); recognizing at the home location register that the location request message concerns a prepaid subscription and querying the payment system to retrieve the second telephone number and the permitted use time (col. 5, lines 39-61, col. 3, lines 1-30); communicating the second telephone number and the permitted use time from the home location register to the serving mobile switching center (col. 5, lines 39-61, col. 3, lines 1-30); through

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connecting the mobile station to the called party to establish a call connection; and monitoring a duration of the established call connection against the calculated permitted use time (col. 9, lines 25-62, col. 6, lines 45-65).

Morgan does not specifically teach post-paid. In an analogous art, Trop et al teaches post-paid (para# 0002,0015 and 0016). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the device of Morgan by specifically adding feature of post-paid to providing global post-paid service to user of cellular phone in order to enhance system performance by increasing efficiency of postpaid subscribers who are billed for services after the charges are incurred as taught by Trop et al.

Regarding claim 7 Morgan teaches detecting that the monitored duration has as least met the calculated permitted use time; terminating the established call connection; and charging a fee for the utilized permitted use time (col. 9, lines 25-62, col. 6, lines 45-65).

Regarding claim 8 Morgan teaches the fee against the identified prepaid method of payment instead of against the paid subscription for the mobile station (col. 9, lines 25-62, col. 6, lines 45-65).

Regarding claim 9 Morgan teaches detecting a user termination of the established call connection prior to the expiration of the permitted use time; calculating an elapsed use time; and charging a fee for the calculated elapsed use time (col. 9, lines 25-62, col. 6, lines 45-65).

Regarding claim 10 Morgan teaches applying the fee against the identified prepaid method of payment instead of against the paid subscription for the mobile station (col. 9, lines 25-62, col. 6, lines 45-65).

Regarding claim 11 Morgan teaches wherein the first telephone number comprises a toll free number (col. 8, lines 4-6).

Regarding claim 12 Morgan teaches a wireless cellular system, comprising: a mobile switching center receiving a call origination from a mobile station having a subscription, wherein the call origination is dialed to a first telephone number associated with a prepaid subscription, and triggering the execution of an incoming message coordination feature (col. 7, line 63-col. 8, lines 17); an interactive voice response system connected to the mobile switching center and activated by the incoming message coordination feature to collect from the mobile station a second telephone number identifying a called party and information concerning a prepaid method of payment for the call (col. 7, line 63-col. 8, lines 17, col. 8, lines 45-65); a payment system connected to the interactive voice response system and operable to calculate a permitted use time for user communications effectuated through the mobile station and with the called party (col. 9, lines 25-62, col. 6, lines 45-65); and a home location register connected to the mobile switching center and the payment system and operating to store the prepaid subscription associated with the first telephone number (col. 5, lines 40-62); wherein the mobile switching center pre-routes a call to the first telephone number to the home location register (col. 5, lines 40-62); wherein the home location register recognizes that the pre-routing concerns the first telephone number

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prepaid subscription and queries the payment system to retrieve the second telephone number and the permitted use time for delivery to the mobile switching center (col. 5, lines 40-62, col. 8, lines 30-63); and wherein the mobile switching center through connects the mobile station to the called party to establish a call connection, and monitors a duration of the established call connection against the calculated permitted use time (col. 9, lines 25-62, col. 6, lines 45-65). Morgan does not specifically teach post-paid. In an analogous art, Trop et al teaches post-paid (para# 0002,0015 and 0016). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the device of Morgan by specifically adding feature of post-paid to providing global post-paid service to user of cellular phone in order to enhance system performance by increasing efficiency of postpaid subscribers who are billed for services after the charges are incurred as taught by Trop et al.

Regarding claim 13 Morgan teaches wherein the mobile switching center further detects that the monitored duration has as least met the calculated permitted use time and terminates the established call connection (col. 9, lines 25-62, col. 6, lines 45-65).

Regarding claim 14 Morgan teaches wherein the payment system charges a fee for the utilized permitted use time against the identified prepaid method of payment instead of against the mobile station subscription (col. 9, lines 25-62, col. 6, lines 45-65).

Regarding claim 15 Morgan teaches wherein the mobile switching center further detects a user termination of the established call connection prior to the expiration of

the permitted use time and calculates an elapsed use time (col. 9, lines 25-62, col. 6, lines 45-65).

Regarding claim 16 Morgan teaches wherein the payment system charges a fee for the calculated elapsed use time against the identified prepaid method of payment instead of against the mobile station subscription (col. 9, lines 25-62, col. 6, lines 45-65).

Regarding claim 17 Morgan teaches wherein the first telephone number comprises a toll free telephone number (col. 8, lines 4-6).

Regarding claim 18 Morgan teaches a prepaid service system, comprising: a mobile station having a subscription and operable to transceiver use communications over a wireless cellular air interface (col. 7, line 63-col. 8, lines 17); and a supporting cellular communications network operating to calculate a permitted duration for prepaid user communications effectuated through the mobile station and monitor a call connection to ensure the call does not exceed the calculated permitted duration (col. 9, lines 25-62, col. 6, lines 45-65); and a switching node connected to the base transceiver station and the means for calculating a permitted duration (col. 9, lines 25-62, col. 6, lines 45-65); wherein the switching node operates to trigger, responsive to mobile station dialing of a certain prepaid subscription telephone number other than a destination telephone number for a prepaid call, an operation within the supporting cellular communications network to calculate the permitted use time for user communications effectuated through that mobile station (col. 7, line 63-col. 8, lines 17). Morgan does not specifically teach post-paid. In an analogous art, Trop et al teaches

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post-paid (para# 0002,0015 and 0016). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the device of Morgan by specifically adding feature of post-paid to providing global post-paid service to user of cellular phone in order to enhance system performance by increasing efficiency of postpaid subscribers who are billed for services after the charges are incurred as taught by Trop et al.

Regarding claim 19 Morgan teaches wherein the supporting cellular communications network further comprises: a base transceiver station (18) for communicating with the mobile station over the wireless cellular air interface (fig. 1).

Regarding claim 20 Morgan teaches further including means within the supporting cellular communications network for collecting prepaid call payment information from the mobile station user (col. 7, line 63-col. 8, lines 17).

Regarding claim 21 Morgan teaches wherein the means for collecting comprises an interactive voice response system activated responsive to the mobile station call to the prepaid subscription telephone number and operating to query the user for the call payment information (col. 8, lines 45-63).

Regarding claim 22 Morgan teaches wherein the means for calculating determines the permitted use time based on the collected call payment information (col. 9, lines 25-62, col. 6, lines 45-65).

Regarding claim 23 Morgan teaches wherein charges for the call are applied against an account identified by the prepaid call payment information instead of against the mobile station subscription (col. 9, lines 25-62, col. 6, lines 45-65).

Regarding claim 24 Morgan teaches wherein the prepaid subscription telephone number comprises a toll free number (col. 8, lines 4-6).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to KHAWAR IQBAL whose telephone number is 703-306-3015.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **BANKS-HAROLD, MARSHA**, can be reached at 703-305-4379.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231


or faxed to:

(703) 872-9314 (for Technology Center 2684 only)

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.

Khawar Iqbal


CHARLES APPIAH
PRIMARY EXAMINER